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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NEETA THAKUR, et al.,

Plaintiffs,

vs.

DONALD J. TRUMP, et al.,

Defendants.

Case No. 3:25-cv-04737-RL

**STIPULATION FOR MODIFICATION OF
SCHEDULING ORDER (ECF No. 125)
AND PROPOSED ORDER**

Judge: The Honorable Rita F. Lin

1 Pursuant to Civil Local Rule 7-12, Plaintiffs and Defendants (“the Parties”), through their
2 respective undersigned counsel, stipulate and agree as follows.

3 WHEREAS, the Court entered a scheduling order on September 9, 2025 (ECF No. 125)
4 establishing deadlines for various case events;

5 WHEREAS, at midnight on September 30, 2025, the appropriations act that had been
6 funding the Department of Justice expired and appropriations to the Department lapsed, and the
7 same is true for other Executive agencies, including the federal Defendants;

8 WHEREAS, beginning on October 1, 2025 (the first day of the government shutdown) and
9 continuing thereafter, the Department of Energy terminated grants impacting University of
10 California (“UC”) researchers;

11 WHEREAS, on October 10, 2025, the Court entered a scheduling order (ECF No. 143)
12 providing “that the deadline for the National Institutes of Health to produce an administrative
13 record is RESET for 21 business days following the end of the lapse of appropriations. The
14 subsequent deadlines in the scheduling order are further RESET to be extended commensurately.”

15 WHEREAS, the Court further ordered the Parties “to file, within 7 days of the end of the
16 lapse in appropriations, a stipulation setting forth the subsequent deadlines listed in the scheduling
17 order as extended per this order” (ECF No. 143);

18 WHEREAS, on November 3, 2025, counsel for Plaintiffs notified counsel for Defendants
19 that Plaintiffs intended to amend their complaint to add allegations regarding DOE’s terminations
20 and specific facts pertaining to the impact of such terminations on UC researchers;

21 WHEREAS, Plaintiffs further intend to move for preliminary injunction and class
22 certification as to UC researchers impacted by the DOE grant terminations;

23 WHEREAS, the lapse in appropriations ended on November 12, 2025;

24 WHEREAS, pursuant to the Court’s October 10, 2025 Order and in light of DOE’s grant
25 terminations in October, following the end of the lapse in appropriations, the Parties met and
26 conferred to discuss a briefing schedule;

27 WHEREAS, Plaintiffs propose simultaneous briefing of a Motion for Leave to File Third
28 Amended Complaint and Motion for Preliminary Injunction on the basis that the Motion for

Preliminary Injunction should be heard on an expedited basis because, *inter alia*, the DOE terminations include the largest single grant termination at UC to date (\$1.2 billion);

WHEREAS, Defendants do not oppose Plaintiffs' simultaneous briefing of a Motion for Leave to File Third Amended Complaint and Motion for Preliminary Injunction; however, if the Court prefers successive briefing (*i.e.*, Motion for Leave to File Third Amended Complaint followed by Motion for Preliminary Injunction), the Parties will meet and confer to discuss a revised briefing schedule;

WHEREAS, per the Court's scheduling notes, the Court is unavailable on December 16, 2025;

WHEREAS, the Parties respectfully request that the Court hold the hearing on December 16, 2025, or as soon thereafter as feasible;

WHEREAS, due to the potential addition of DOE as a defendant, plus delays caused by the lapse in appropriations, Defendants require additional time to prepare an administrative record for NIH and DOE;

WHEREAS, the Parties have agreed to the following briefing schedule:

Event	Current Deadline	Parties' Stipulated Proposal
Plaintiffs file (1) Motion for Leave to File Third Amended Complaint, attaching Third Amended Complaint, and (2) Motion for Preliminary Injunction and Class Certification re: DOE, and supporting papers	N/A	11/24/25
Defendants file oppositions to (1) Motion for Leave to File Third Amended Complaint and (2) Motion for Preliminary Injunction and Class Certification	N/A	12/8/25
Plaintiffs file replies to (1) Motion for Leave to File Third Amended Complaint and (2) Motion for Preliminary Injunction and Class Certification	N/A	12/12/25

Event	Current Deadline	Parties' Stipulated Proposal
Hearing on (1) Motion for Leave to File Third Amended Complaint and (2) Motion for Preliminary Injunction and Class Certification	N/A	12/16/25, or the Court's convenience
Administrative Record for NIH and, if the Motion for Leave to File Third Amended Complaint is granted, DOE	10/24/25	1/9/26
Status report re administrative record	10/31/25	1/16/26
Motion for Summary Judgment and Class Certification and supporting papers	12/22/25	3/9/26
Opposition to Motion for Summary Judgment and Class Certification	2/6/26	4/27/26
Reply in support of Motion for Summary Judgment and Class Certification	2/20/26	5/11/26
Hearing on Motion for Summary Judgment and Class Certification	3/17/26	Court's convenience

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the Parties, subject to the Court's approval, that the schedule shall be modified as reflected above.

1 Dated: November 19, 2025

By: /s/ Linda S. Gilleran

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1 Dated: November 19, 2025

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17
18 *Attorneys for United States*

FILER'S ATTESTATION

Pursuant to Civil Local Rule 5.1, the undersigned attests that all parties have concurred in the filing of this STIPULATION FOR MODIFICATION OF SCHEDULING ORDER (ECF No. 125) AND PROPOSED ORDER.

Dated: November 19, 2025

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: November __, 2025

The Honorable Rita F. Lin
United States District Court